IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

ORDER

S.B. CRIMINAL MISC. BAIL APPL. NO.7812/2006
Kammod Singh V. THE STATE OF RAJASTHAN

Date of order ::: December 21, 2006

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.Anil Jain, for the applicant.
Mr.B.L. Avasthi, PP for the State.

This is a bail application under Section 439 Cr.P.C. arising out of FIR No.5/2002 registered at Police Station Saipau, District Dholpur for the offence under Section 409 IPC.

Heard learned counsel for the applicant as well as the learned Public Prosecutor and perused the material / case diary made available to me during the arguments of the case..

Counsel for the applicant submits that one Shri Harichanaran Sharma submitted a report before the S.P., Dholpur regarding an incident to unknown date and year, which was sent by the S.P. Office for registration of FIR under Section 154(3) Cr.P.C. to Police Station Saipau, Dholpur. On receipt of the said report, a case was registered against the applicant for the offence under Section 409 IPC for misappropriation of three Guns, although

the applicant was retired on 31.12.2002 from the post of A.S.I. and he was posted as In-charge of Malkhana prior to the year 1998.

Learned Public Prosecutor has opposed the bail application and submitted that it is not a fit case for grant of bail.

Without expressing any opinion on the aforesaid submissions on merits and demerits of the case and taking into consideration the entire facts and circumstances of the case, I am inclined to grant bail to the applicant.

It is, therefore, ordered that applicant Kammod Singh S/o Shri Pahalwan Singh shall be released on bail, provided he furnishes a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) together with two sureties in the sum of Rs.10,000/- to the satisfaction of the learned trial court for his appearance before that Court as and when called upon to do so during pendency of the trial against him arising out of FIR No.5/2002 registered at Police Station Saipau, District Dholpur.

(PREM SHANKER ASOPA) J.

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